

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION GULFPORT**

REPUBLICAN NATIONAL COMMITTEE;
MISSISSIPPI REPUBLICAN PARTY;
JAMES PERRY; and MATTHEW LAMB,

Plaintiffs,

vs.

No. 1:24-cv-25-LG-RPM

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*; TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL, CHRISTENE BRICE, and CAROLYN HANDLER, *in their official capacities as members of the Harrison County Election Commission*; and MICHAEL WATSON, *in his official capacity as the Secretary of State of Mississippi*,

Defendants.

**[PROPOSED] INTERVENOR-DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT UNDER
FEDERAL RULES OF CIVIL PROCEDURE 12(B)(1) AND 12(B)(6)**

Intervenor-Defendants Disability Rights Mississippi and the League of Women Voters of Mississippi (collectively, the “Intervenor-Defendants”) respectfully move, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss Plaintiffs’ Complaint (ECF No. 1) with prejudice for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted, for all reasons set forth in the accompanying Memorandum Brief in Support of this Motion.

Intervenor-Defendants respectfully request that this Court enter an order granting this

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Motion to Dismiss and dismiss Plaintiffs' Complaint with prejudice.

DATED this 21st day of February, 2024.

/s/ Joshua Tom

Joshua Tom (Miss. Bar No. 105392)
AMERICAN CIVIL LIBERTIES UNION
OF MISSISSIPPI FOUNDATION
101 South Congress Street
Jackson, MS 39201
(601) 354-3408
JTom@aclu-ms.org

Greta Kemp Martin (Miss. Bar No. 103672)
DISABILITY RIGHTS MISSISSIPPI
5 Old River Place, Suite 101
Jackson, MS 39202
(601) 968-0600
gmartin@drms.ms

DECHERT LLP

Neil Steiner*

Julia Markham-Cameron*
Three Bryant Park,
1095 Avenue of the Americas
New York, NY 10036
(212) 698-3822
neil.steiner@dechert.com
julia.markham-cameron@dechert.com

DECHERT LLP

Christopher J. Merken*
Cira Centre
2929 Arch Street
Philadelphia, PA 19104-2808
(215) 994-2380
Christopher.merken@dechert.com

Respectfully submitted,

Davin M. Rosborough*
Sophia Lin Lakin*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad St.
New York, NY 10004
(212) 549-2500
drosborough@aclu.org
slakin@aclu.org

Jacob van Leer*
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St. NW
Washington, D.C. 20005
(212) 549-2500
jvanleer@aclu.org

DECHERT LLP

Angela Liu*
35 West Wacker Drive,
Suite 3400,
Chicago IL 60601
(312) 646-5813
angela.liu@dechert.com

*Attorneys for Intervenor-Defendants
Disability Rights Mississippi and League of
Women Voters of Mississippi*

*Application for admission *pro hac vice*
forthcoming or pending